Left by Mr Hemot
These have been printed in the Sun.

THE ENGLISH CONSTITUTION.

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The following Letter written by Dr. GOLDSMITH, *in his admirable Work,* " The Citizen of the World," *gives ſo true a picture of the pre-eminently happy ſituation of Engliſhmen, and ſeems ſo applicable to the preſent times, that we think it worthy the particular attention of the Public.*

The People of this Country are ſufficiently acquainted with the Opinions of THOMAS PAINE, *one of the worſt of Mankind—we wiſh them to be as well acquainted with thoſe of* Dr. GOLDSMITH, *who both, as a Writer, and a Man, did honor to his Country.*

ASK an Engliſhman, what nation in the world enjoys moſt freedom, and he immediately anſwers, his own. Aſk him, in what that freedom principally conſiſts, and he is inſtantly ſilent.—This happy pre-eminence does not ariſe from the people's enjoying a larger ſhare in legiſlation than elſewhere; for in this particular, ſeveral ſtates in Europe excel them: nor does it ariſe from a greater exemption from taxes, for few countries pay more: it does not proceed from their being reſtrained by fewer laws, for no people are burdened with ſo many; nor does it particularly conſiſt in the ſecurity of their property, for property is pretty well ſecured in every polite ſtate of Europe.

How then are the Engliſh more free (for more free they certainly are), than the people of any other country, or under any other form of government whatever? Their freedom conſiſts in their enjoying all the advantages of Democracy, with this ſuperior prerogative borrowed from Monarchy, that " the ſeverity of their laws may be relaxed, without endangering the conſtitution."

In monarchical ſtate, in which the conſtitution is ſtrongeſt, the laws may be relaxed without danger; for though the people ſhould be unanimous in the breach of any one in particular, yet ſtill there is an *effective* power ſuperior to the people, capable of enforcing obedience, whenever it may be proper to inculcate the law, either towards the ſupport or welfare of the community.

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But in all thoſe governments where laws derive their ſanction from the *people alone*, tranſgreſſions cannot be overlooked, without bringing the conſtitution into danger. They who tranſgreſs the law in ſuch a caſe, are thoſe who preſcribe it; by which means it loſes not only its influence but its ſanction. In every republic the laws muſt be ſtrong, becauſe the conſtitution is feeble; they muſt reſemble an Aſiatic huſband, who is juſtly jealous, becauſe he knows himſelf impotent. Thus, in Holland, Switzerland, and Genoa, new laws are not frequently enacted, but the old ones are obſerved with unremitting ſeverity. In ſuch republics, therefore, the people are ſlaves to laws of their own making, little leſs than in unmixed monarchies, where they are ſlaves to the will of one ſubject to frailties like themſelves.

In England, from a variety of happy accidents, their conſtitution is juſt ſtrong enough, or if you will, monarchical enough, to permit a relaxation of the ſeverity of laws, and yet thoſe laws ſtill to remain ſufficiently ſtrong to govern the people. This is the moſt perfect ſtate of civil liberty of which we can form an idea; here we ſee a greater number of laws than in any other country, while the people at the ſame time obey only ſuch as are *immediately* conducive to the intereſts of ſociety; ſeveral are unnoticed, many unknown; ſome kept to be revived and enforced upon proper occaſions, others left to grow obſolete, even without the neceſſity of abrogation.

Scarce an Engliſhman who does not almoſt every day of his life offend with impunity againſt ſome expreſs law, and for which, in a certain conjuncture of circumſtances, he would not receive puniſhment. Gaming houſes, preaching at prohibited places, aſſembled crowds, nocturnal amuſements, public ſhows, and an hundred other inſtances, are forbid and frequented. Theſe prohibitions are uſeful; though it be prudent in their magiſtrates, and happy for their people, that they are not enforced, and none but the venal or mercenary attempt to enforce them.

The law in this caſe, like an indulgent parent, ſtill keeps the rod, though the child is ſeldom corrected. Were thoſe pardoned offences to riſe into enormity, were they likely to obſtruct the happineſs of ſociety, or endanger the ſtate, it is then that juſtice would reſume her terrors, and puniſh thoſe faults ſhe had ſo often overlooked with indulgence.

dulgence. It is to this ductility of the laws that an Engliſhman owes the freedom he enjoys ſuperior to others in a more popular government; every ſtep, therefore, the conſtitution takes towards a Democratic form, every dimunition of the legal authority, is, in fact, a dimunition of the ſubject's freedom; but every attempt to render the government more popular, not only impairs natural liberty, but even will at laſt diſſolve the political conſtitution.

Every popular government ſeems calculated to laſt only for a time; it grows rigid with age; new laws are multiplying, and the old continue in force; the ſubjects are oppreſſed, burdened with a multiplicity of legal injunctions, there are none from whom to expect redreſs, and nothing but a ſtrong convulſion in the ſtate can vindicate them into former liberty. Thus the people of Rome, a few great ones excepted, found more real freedom under their Emperors, though tyrants, than they had experienced in the old age of the commonwealth, in which their laws were become numerous and painful, in which new laws were every day enacting, and the old ones executed with rigour. They even refuſed to be reinſtated in their former prerogatives, upon an offer made them to this purpoſe; for they actually found Emperors the only means of ſoftening the rigours of their conſtitution.

The conſtitution of England is at preſent poſſeſſed of the ſtrength of its native oak, and the flexibility of the bending tamariſk; but ſhould the people, at any time, with a miſtaken zeal, pant after an imaginary freedom, and fancy that abridging monarchy was increaſing their privileges, they would be very much miſtaken, ſince every jewel plucked from the crown of majeſty would only be made uſe of as a bribe to corruption; it might enrich the few who ſhared it among them, but would in fact impoveriſh the public.

As the Roman Senators, by ſlow and imperceptible degrees, became maſters of the people, yet ſtill flattered them with a ſhew of freedom, while themſelves only were free; ſo it is poſſible for a body of men, while they ſtand up for privileges, to grow into an exuberance of power themſelves, and the public become actually dependent, while ſome of its individuals only governed.